

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

Feb 18, 2014

*Kathy A. Surratt - States*  
KATHY A. SURRATT-STATES  
Chief United States Bankruptcy Judge

In re

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

Chapter 11  
Case No. 12-51502-659  
(Jointly Administered)

**MOTION TO ALLOW CONSIDERATION OF  
LATE-FILED FINAL FEE APPLICATIONS**

Patriot Coal Corporation and its affiliates (collectively, the “Debtors” or the “Reorganized Debtors”), respectfully submit this Motion to Allow Consideration of Late-Filed Final Fee Applications (the “Motion”), seeking an order from the Court allowing for consideration the late-filed final fee applications of two of the Reorganized Debtors’ professionals. In support of the Motion, the Reorganized Debtors respectfully state as follows:

**Jurisdiction**

1. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b) and may be heard and determined by the Bankruptcy Court. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

**Requested Relief**

2. Pursuant to the Notice of Hearing and Related Procedures for Final Fee Applications of Retained Professionals, filed on January 7, 2014 [Docket No. 5205] (the “Notice”), final fee applications for retained professionals for the period of the applicable retention date through December 31, 2013 were due on January 31, 2014. A hearing on the final fee applications will take place on March 25, 2014.

3. Two of the Reorganized Debtors’ numerous professionals, GCP Legal Advisors, LLC (“GCP”), and Ogletree, Deakins, Nash, Smoak & Stewart, P.C. (“Ogletree Deakins”), filed their final fee applications after January 31, 2014 (the “Late-Filed Applications”).

4. By this Motion, the Reorganized Debtors request that the Court allow the Late-Filed Applications to be considered for disposition at the March 25, 2014 hearing. The delay for each such Application was minimal and no prejudice to any party in interest will result from allowing the Late-Filed Applications to be considered.

5. The application of GCP was filed only one business day late. GCP’s sole professional is dedicated to aiding the Reorganized Debtors in post-confirmation issues and his involvement in such matters prevented GCP from timely filing its final fee application.

6. The application of Ogletree Deakins was filed on February 10, 2014, just over a week past the January 31 deadline. The Ogletree Deakins professionals involved in this engagement are unfamiliar with the process for preparing final fee applications and had not previously prepared a fee application.

7. Because the hearing on the final fee applications is approximately six weeks after the filing of the Late-Filed Applications, all parties in interest have ample opportunity to review

the Final Fee Applications in advance of the hearing. No party in interest will suffer any prejudice from allowing for consideration the Late-Filed Applications.

WHEREFORE, the Reorganized Debtors respectfully request that the Court enter an order allowing the Late-Filed Applications to be considered at the March 25, 2014 hearing, and for such other and further relief as is just and proper.

Dated: February 13, 2014  
St. Louis, Missouri

Respectfully submitted,

/s/ Laura Uberti Hughes

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